

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Brandon Riffle,

Plaintiff,

v.

Case NO. 2:18-cv-547

Fairfield County
Department of Probation,

Defendant.

ORDER

Plaintiff, an inmate in an Ohio state prison who is proceeding *pro se*, filed the instant civil rights action under 42 U.S.C. §1983, against the Fairfield County Department of Probation. Plaintiff's original complaint was dismissed pursuant to an initial screen under 28 U.S.C. §1915(e). However, plaintiff was granted leave to file an amended complaint concerning his Fourth and Fourteenth Amendment claims alleging illegal detention. Plaintiff filed an amended complaint on September 11, 2018. Defendant filed a motion to dismiss the complaint on November 2, 2018. In an order dated January 9, 2019, the magistrate judge denied plaintiff's motion to strike the motion to dismiss, and gave plaintiff twenty-one days to respond to the motion to dismiss. Plaintiff did not file a response. This matter is now before the court on the March 28, 2019, report and recommendation of the magistrate judge recommending that the motion to dismiss be granted.

The report and recommendation specifically advised the parties that objections to the report and recommendation were due within fourteen days, and that the failure to object to the report and recommendation "will result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the

judgment of the District Court." Doc. 19, p. 8. The time period for filing objections to the report and recommendation has expired, and no objections to the report and recommendation have been filed.

Accordingly, the court adopts the report and recommendation (Doc. 19). The motion to dismiss (Doc. 14) is granted.

Date: April 22, 2019

s/James L. Graham
James L. Graham
United States District Judge